

PRELIMINARY DRAFT

TEXAS LEGISLATIVE COUNCIL
Government Code
Chapter 547
9/9/22

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1 CHAPTER 547. MENTAL HEALTH AND SUBSTANCE USE SERVICES

2 SUBCHAPTER A. DELIVERY OF MENTAL HEALTH AND SUBSTANCE USE SERVICES

3 Revised Law

4 Sec. 547.0001. EVALUATION OF CERTAIN CONTRACTORS AND
5 SUBCONTRACTORS. (a) To ensure the appropriate delivery of mental
6 health and substance use services, the commission shall regularly
7 evaluate program contractors and subcontractors that provide or
8 arrange services for individuals enrolled in:

9 (1) the Medicaid managed care program; and

10 (2) the child health plan program.

11 (b) The commission shall monitor:

12 (1) penetration rates as those rates relate to mental
13 health and substance use services provided by or through
14 contractors and subcontractors;

15 (2) utilization rates as those rates relate to mental
16 health and substance use services provided by or through
17 contractors and subcontractors; and

18 (3) provider networks used by contractors and
19 subcontractors to provide mental health or substance use services.

20 (Gov. Code, Sec. 531.0225.)

21 Source Law

22 Sec. 531.0225. MENTAL HEALTH AND SUBSTANCE
23 ABUSE SERVICES. (a) To ensure appropriate delivery of
24 mental health and substance abuse services, the
25 commission shall regularly evaluate program
26 contractors and subcontractors that provide or arrange
27 for the services for persons enrolled in:

28 (1) the Medicaid managed care program; and

29 (2) the state child health plan program.

30 (b) The commission shall monitor:

31 (1) penetration rates, as they relate to
32 mental health and substance abuse services provided by
33 or through contractors and subcontractors;

34 (2) utilization rates, as they relate to
35 mental health and substance abuse services provided by
36 or through contractors and subcontractors; and

37 (3) provider networks used by contractors
38 and subcontractors to provide mental health or
39 substance abuse services.

40 Revisor's Note

41 (1) Section 531.0225, Government Code, refers
42 to "substance abuse" services. The Diagnostic and

1 Statistical Manual of Mental Disorders, 5th Edition
2 (DSM-5), published by the American Psychiatric
3 Association to assist in classifying mental disorders,
4 combines the categories of substance abuse and
5 substance dependence into a single disorder referred
6 to as "substance use disorder." Therefore, throughout
7 this chapter, the revised law substitutes "substance
8 use" for "substance abuse" to reflect modern
9 terminology regarding the disorder.

10 (2) Section 531.0225(a), Government Code,
11 refers to services for "persons" enrolled in certain
12 programs. Throughout this chapter, the revised law
13 substitutes "individual" for "person" for clarity and
14 consistency where the context makes clear that the
15 referenced person is an individual and not an entity
16 described by the definition of "person" provided by
17 Section 311.005, Government Code (Code Construction
18 Act), applicable to this code.

19 (3) Section 531.0225(a)(2), Government Code,
20 refers to the "state child health plan program." The
21 revised law substitutes "child health plan program"
22 for "state child health plan program" for clarity and
23 consistency in the terminology used within the chapter
24 and because "child health plan program" is the defined
25 term under Section 531.001, Government Code, which is
26 revised in this subtitle as Section _____, and applies
27 to the revised law in this chapter.

28 Revised Law

29 Sec. 547.0002. OMBUDSMAN FOR BEHAVIORAL HEALTH ACCESS TO
30 CARE. (a) In this section, "ombudsman" means the individual
31 designated under this section by the executive commissioner as the
32 ombudsman for behavioral health access to care unless the context
33 requires otherwise.

34 (b) The executive commissioner shall designate an ombudsman

1 for behavioral health access to care.

2 (c) The ombudsman is administratively attached to the
3 commission's office of the ombudsman established under Section
4 _____ [[[Section 531.0171]]].

5 (d) The commission may use an alternate title for the
6 ombudsman in consumer-facing materials if the commission
7 determines that an alternate title would benefit consumer
8 understanding or access.

9 (e) The ombudsman serves as a neutral party to help
10 consumers, including consumers who are uninsured or have public or
11 private health benefit coverage, and behavioral health care
12 providers navigate and resolve issues related to consumer access to
13 behavioral health care, including care for mental health conditions
14 and substance use disorders.

15 (f) The ombudsman shall:

16 (1) interact with consumers and behavioral health care
17 providers regarding concerns or complaints to help the consumers
18 and providers resolve behavioral health care access issues;

19 (2) identify, track, and help report potential
20 violations of state or federal rules, regulations, or statutes
21 concerning the availability of, and terms and conditions of,
22 benefits for mental health conditions or substance use disorders,
23 including potential violations related to quantitative and
24 nonquantitative treatment limitations;

25 (3) report concerns, complaints, and potential
26 violations described by Subdivision (2) to the appropriate
27 regulatory or oversight agency;

28 (4) receive and report concerns and complaints
29 relating to inappropriate care or mental health commitment;

30 (5) provide appropriate information to help consumers
31 obtain behavioral health care;

32 (6) develop appropriate points of contact for
33 referrals to other state and federal agencies; and

34 (7) provide appropriate information to help consumers

1 or providers file appeals or complaints with the appropriate
2 entities, including insurers and other state and federal agencies.

3 (g) The Texas Department of Insurance shall appoint a
4 liaison to the ombudsman to receive the reports of concerns,
5 complaints, and potential violations described by Subsection
6 (f)(2) from the ombudsman, consumers, or behavioral health care
7 providers. (Gov. Code, Sec. 531.02251.)

8 Source Law

9 Sec. 531.02251. OMBUDSMAN FOR BEHAVIORAL HEALTH
10 ACCESS TO CARE. (a) In this section, "ombudsman"
11 means the individual designated as the ombudsman for
12 behavioral health access to care.

13 (b) The executive commissioner shall designate
14 an ombudsman for behavioral health access to care.

15 (c) The ombudsman is administratively attached
16 to the office of the ombudsman for the commission.

17 (d) The commission may use an alternate title
18 for the ombudsman in consumer-facing materials if the
19 commission determines that an alternate title would be
20 beneficial to consumer understanding or access.

21 (e) The ombudsman serves as a neutral party to
22 help consumers, including consumers who are uninsured
23 or have public or private health benefit coverage, and
24 behavioral health care providers navigate and resolve
25 issues related to consumer access to behavioral health
26 care, including care for mental health conditions and
27 substance use disorders.

28 (f) The ombudsman shall:

29 (1) interact with consumers and behavioral
30 health care providers with concerns or complaints to
31 help the consumers and providers resolve behavioral
32 health care access issues;

33 (2) identify, track, and help report
34 potential violations of state or federal rules,
35 regulations, or statutes concerning the availability
36 of, and terms and conditions of, benefits for mental
37 health conditions or substance use disorders,
38 including potential violations related to
39 quantitative and nonquantitative treatment
40 limitations;

41 (3) report concerns, complaints, and
42 potential violations described by Subdivision (2) to
43 the appropriate regulatory or oversight agency;

44 (4) receive and report concerns and
45 complaints relating to inappropriate care or mental
46 health commitment;

47 (5) provide appropriate information to
48 help consumers obtain behavioral health care;

49 (6) develop appropriate points of contact
50 for referrals to other state and federal agencies; and

51 (7) provide appropriate information to
52 help consumers or providers file appeals or complaints
53 with the appropriate entities, including insurers and
54 other state and federal agencies.

55 (h) The Texas Department of Insurance shall
56 appoint a liaison to the ombudsman to receive reports
57 of concerns, complaints, and potential violations
58 described by Subsection (f)(2) from the ombudsman,
59 consumers, or behavioral health care providers.

1 Revised Law

2 Sec. 547.0003. RULES GOVERNING PEER SPECIALISTS. (a) With
3 input from mental health and substance use peer specialists, the
4 commission shall develop and the executive commissioner shall
5 adopt:

6 (1) rules establishing training requirements for peer
7 specialists to provide services to individuals with mental illness
8 or individuals with substance use conditions;

9 (2) rules establishing certification and supervision
10 requirements for peer specialists;

11 (3) rules defining the scope of services that peer
12 specialists may provide;

13 (4) rules distinguishing peer services from other
14 services that a person must hold a license to provide; and

15 (5) any other rules necessary to protect the health
16 and safety of individuals receiving peer services.

17 (b) The executive commissioner may not adopt rules under
18 this section that preclude the provision of mental health
19 rehabilitative services under 25 T.A.C. Chapter 416, Subchapter A,
20 as that subchapter existed on January 1, 2017. (Gov. Code, Secs.
21 531.0999(a), (f).)

22 Source Law

23 Sec. 531.0999. PEER SPECIALISTS. (a) With
24 input from mental health and substance use peer
25 specialists and the work group described by Subsection
26 (b), the commission shall develop and the executive
27 commissioner shall adopt:

28 (1) rules that establish training
29 requirements for peer specialists so that they are
30 able to provide services to persons with mental
31 illness or services to persons with substance use
32 conditions;

33 (2) rules that establish certification and
34 supervision requirements for peer specialists;

35 (3) rules that define the scope of
36 services that peer specialists may provide;

37 (4) rules that distinguish peer services
38 from other services that a person must hold a license
39 to provide; and

40 (5) any other rules necessary to protect
41 the health and safety of persons receiving peer
42 services.

43 (f) The executive commissioner may not adopt
44 rules under Subsection (a) that preclude the provision

1 of mental health rehabilitative services under 25
2 T.A.C. Chapter 416, Subchapter A, as that subchapter
3 existed on January 1, 2017.

4 Revisor's Note

5 Sections 531.0999(b), (c), (d), and (e),
6 Government Code, refer to a stakeholder work group
7 established to provide input on rules adopted under
8 Section 531.0999(a), Government Code. These
9 provisions are omitted from the revised law because
10 the work group to which they refer no longer exists.
11 Section 533.0999(e), Government Code, provides that
12 the work group is automatically abolished following
13 the adoption of rules under Section 531.0999(a),
14 Government Code. According to 43 Tex. Reg. 8573
15 (2018), the Health and Human Services Commission
16 adopted rules on December 28, 2018, which became
17 effective on January 1, 2019. The omitted law reads:

18 (b) The commission shall establish a
19 stakeholder work group to provide input for
20 the adoption of rules under Subsection (a).
21 The work group is composed of the following
22 stakeholders appointed by the executive
23 commissioner:

24 (1) one representative of each
25 organization that certifies mental health
26 and substance use peer specialists in this
27 state;

28 (2) three representatives of
29 organizations that employ mental health and
30 substance use peer specialists;

31 (3) one mental health peer
32 specialist who works in an urban area;

33 (4) one mental health peer
34 specialist who works in a rural area;

35 (5) one substance use peer
36 specialist who works in an urban area;

37 (6) one substance use peer
38 specialist who works in a rural area;

39 (7) one person who trains
40 mental health peer specialists;

41 (8) one person who trains
42 substance use peer specialists;

43 (9) three representatives of
44 mental health and addiction licensed health
45 care professional groups who supervise
46 mental health and substance use peer
47 specialists;

48 (10) to the extent possible,
49 not more than three persons with personal
50 experience recovering from mental illness,
51 substance use conditions, or co-occurring
52 mental illness and substance use
53 conditions; and

1 (11) any other persons
2 considered appropriate by the executive
3 commissioner.

4 (c) The executive commissioner shall
5 appoint one member of the work group to
6 serve as presiding officer.

7 (d) The work group shall meet once
8 every month.

9 (e) The work group is automatically
10 abolished on the adoption of rules under
11 Subsection (a).

12 Revised Law

13 Sec. 547.0004. VETERAN SUICIDE PREVENTION ACTION PLAN. (a)

14 The commission, in collaboration with the Texas Coordinating
15 Council for Veterans Services, the United States Department of
16 Veterans Affairs, the Service Members, Veterans, and their Families
17 Technical Assistance Center Implementation Academy of the
18 Substance Abuse and Mental Health Services Administration of the
19 United States Department of Health and Human Services, veteran
20 advocacy groups, health care providers, and any other organization
21 or interested party the commission considers appropriate, shall
22 develop a comprehensive action plan to increase access to and
23 availability of professional veteran health services to prevent
24 veteran suicides.

25 (b) The action plan must:

26 (1) identify opportunities for raising awareness of
27 and providing resources for veteran suicide prevention;

28 (2) identify opportunities to increase access to
29 veteran mental health services;

30 (3) identify funding resources to provide accessible,
31 affordable veteran mental health services;

32 (4) provide measures to expand public-private
33 partnerships to ensure access to quality, timely mental health
34 services;

35 (5) provide for proactive outreach measures to reach
36 veterans needing care;

37 (6) provide for peer-to-peer service coordination,
38 including training, certification, recertification, and continuing
39 education for peer coordinators; and

1 (7) address suicide prevention awareness, measures,
2 and training regarding veterans involved in the justice system.

3 (c) The commission shall make specific long-term statutory,
4 administrative, and budget-related recommendations to the
5 legislature and the governor regarding the policy initiatives and
6 reforms necessary to implement the action plan developed under this
7 section. The initiatives and reforms in the long-term plan must be
8 fully implemented by September 1, 2027.

9 (d) The commission shall include in the commission's
10 strategic plan under Chapter 2056 the plans for implementing the
11 long-term recommendations under Subsection (c).

12 (e) This section expires September 1, 2027. (Gov. Code,
13 Secs. 531.0925(a), (b), (c) (part), (d), (e).)

14 Source Law

15 Sec. 531.0925. VETERAN SUICIDE PREVENTION
16 ACTION PLAN. (a) The commission, in collaboration
17 with the Texas Coordinating Council for Veterans
18 Services, the United States Department of Veterans
19 Affairs, the Service Members, Veterans, and Their
20 Families Technical Assistance Center Implementation
21 Academy of the Substance Abuse and Mental Health
22 Services Administration of the United States
23 Department of Health and Human Services, veteran
24 advocacy groups, medical providers, and any other
25 organization or interested party the commission
26 considers appropriate, shall develop a comprehensive
27 action plan to increase access to and availability of
28 professional veteran health services to prevent
29 veteran suicides.

30 (b) The action plan must:

31 (1) identify opportunities for raising
32 awareness of and providing resources for veteran
33 suicide prevention;

34 (2) identify opportunities to increase
35 access to veteran mental health services;

36 (3) identify funding resources to provide
37 accessible, affordable veteran mental health
38 services;

39 (4) provide measures to expand
40 public-private partnerships to ensure access to
41 quality, timely mental health services;

42 (5) provide for proactive outreach
43 measures to reach veterans needing care;

44 (6) provide for peer-to-peer service
45 coordination, including training, certification,
46 recertification, and continuing education for peer
47 coordinators; and

48 (7) address suicide prevention awareness,
49 measures, and training regarding veterans involved in
50 the justice system.

51 (c) The commission shall make specific
52 short-term and long-term statutory, administrative,
53 and budget-related recommendations to the legislature

1 and the governor regarding the policy initiatives and
2 reforms necessary to implement the action plan
3 developed under this section. . . . The initiatives
4 and reforms in the long-term plan must be fully
5 implemented by September 1, 2027.

6 (d) The commission shall include in its
7 strategic plan under Chapter 2056 the plans for
8 implementation of the short-term and long-term
9 recommendations under Subsection (c).

10 (e) This section expires September 1, 2027.

11 Revisor's Note

12 (1) Section 531.0925(a), Government Code,
13 requires the commission to collaborate with "medical
14 providers." The revised law substitutes "health care
15 providers" for "medical providers" because, in
16 context, the terms have the same meaning and "health
17 care providers" is the more commonly used term.

18 (2) Section 531.0925(c), Government Code,
19 requires the Health and Human Services Commission to
20 make specific short-term and long-term
21 recommendations to the legislature and the governor
22 regarding policy initiatives and reforms necessary to
23 implement a veteran suicide prevention action plan.
24 That subsection also requires the commission to fully
25 implement the short-term recommendations not later
26 than September 1, 2021, and to begin implementing the
27 long-term recommendations not later than September 1,
28 2021. The commission has fully implemented the
29 short-term plan and has begun implementing the
30 long-term plan. Therefore, the revised law omits
31 those requirements as executed. The omitted law
32 reads:

33 (c) . . . The short-term
34 recommendations must include a plan for
35 state implementation beginning not later
36 than September 1, 2019. The initiatives and
37 reforms in the short-term plan must be fully
38 implemented by September 1, 2021. The
39 long-term recommendations must include a
40 plan for state implementation beginning not
41 later than September 1, 2021. . . .

42 (3) Section 531.0925(d), Government Code,
43 requires the Health and Human Services Commission to

1 include in the commission's strategic plan under
2 Chapter 2056, Government Code, the commission's plans
3 for implementing the short-term recommendations under
4 Section 531.0925(c). The commission included the
5 short-term recommendations in the commission's July
6 2020 strategic plan. Therefore, the reference to the
7 "short-term plan" is omitted as executed.

8 Revised Law

9 Sec. 547.0005. LOCAL MENTAL HEALTH AUTHORITY GROUP REGIONAL
10 STRATEGIES; ANNUAL REPORT. (a) In this section, "local mental
11 health authority group" means a group of local mental health
12 authorities established by the commission under Chapter 963 (S.B.
13 633), Acts of the 86th Legislature, Regular Session, 2019.

14 (b) The commission shall require each local mental health
15 authority group to meet at least quarterly to collaborate on
16 planning and implementing regional strategies to reduce:

17 (1) costs to local governments of providing services
18 to individuals experiencing a mental health crisis;

19 (2) transportation to mental health facilities of
20 individuals served by an authority that is a member of the group;

21 (3) incarceration of individuals with mental illness
22 in county jails located in an area served by an authority that is a
23 member of the group; and

24 (4) visits by individuals with mental illness at
25 hospital emergency rooms located in an area served by an authority
26 that is a member of the group.

27 (c) The commission shall use federal money in accordance
28 with state and federal guidelines to implement this section.

29 (d) The commission, in coordination with each local mental
30 health authority group, shall annually update the mental health
31 services development plan that was initially developed by the
32 commission and each local mental health authority group under
33 Chapter 963 (S.B. 633), Acts of the 86th Legislature, Regular
34 Session, 2019. The commission and each group's updated plan must

1 include a description of:

2 (1) actions taken by the group to implement regional
3 strategies in the plan; and

4 (2) new regional strategies identified by the group to
5 reduce the circumstances described by Subsection (b), including the
6 estimated number of outpatient and inpatient beds necessary to meet
7 the goals of each group's regional strategy.

8 (e) Not later than December 1 of each year, the commission
9 shall produce and publish on the commission's Internet website a
10 report containing the most recent version of each mental health
11 services development plan developed by the commission and a local
12 mental health authority group. (Gov. Code, Sec. 531.0222.)

13 Source Law

14 Sec. 531.0222. LOCAL MENTAL HEALTH AUTHORITY
15 GROUP REGIONAL PLANNING. (a) In this section, "local
16 mental health authority group" means a group of local
17 mental health authorities established by the
18 commission under Chapter 963 (S.B. 633), Acts of the
19 86th Legislature, Regular Session, 2019.

20 (b) The commission shall require each local
21 mental health authority group to meet at least
22 quarterly to collaborate on planning and implementing
23 regional strategies to reduce:

24 (1) costs to local governments of
25 providing services to persons experiencing a mental
26 health crisis;

27 (2) transportation to mental health
28 facilities of persons served by an authority that is a
29 member of the group;

30 (3) incarceration of persons with mental
31 illness in county jails that are located in an area
32 served by an authority that is a member of the group;
33 and

34 (4) visits by persons with mental illness
35 at hospital emergency rooms located in an area served
36 by an authority that is a member of the group.

37 (c) The commission shall use federal funds in
38 accordance with state and federal guidelines to
39 implement this section.

40 (d) The commission, in coordination with each
41 local mental health authority group, shall annually
42 update the mental health services development plan
43 that was initially developed by the commission and
44 each local mental health authority group under Chapter
45 963 (S.B. 633), Acts of the 86th Legislature, Regular
46 Session, 2019. The commission and each group's updated
47 plan must include a description of:

48 (1) actions taken by the group to
49 implement regional strategies in the plan; and

50 (2) new regional strategies identified by
51 the group to reduce the circumstances described by
52 Subsection (b), including the estimated number of
53 outpatient and inpatient beds necessary to meet the
54 goals of each group's regional strategy.

1 (e) Not later than December 1 of each year, the
2 commission shall produce and publish on its Internet
3 website a report containing the most recent version of
4 each mental health services development plan developed
5 by the commission and a local mental health authority
6 group.

7 Revisor's Note

8 Section 531.0222(c), Government Code, refers to
9 federal "funds." Throughout this chapter, the revised
10 law substitutes "money" for "funds" because, in
11 context, the terms have the same meaning and "money" is
12 the more commonly used term.

13 SUBCHAPTER B. TEXAS SYSTEM OF CARE FRAMEWORK

14 Revised Law

15 Sec. 547.0051. DEFINITIONS. In this subchapter:

16 (1) "Minor" means an individual younger than 18 years
17 of age.

18 (2) "Serious emotional disturbance" means a mental,
19 behavioral, or emotional disorder of sufficient duration to result
20 in functional impairment that substantially interferes with or
21 limits an individual's role or ability to function in family,
22 school, or community activities.

23 (3) "System of care framework" means a framework for
24 collaboration among state agencies, minors who have a serious
25 emotional disturbance or are at risk of developing a serious
26 emotional disturbance, and the families of those minors that
27 improves access to services and delivers effective community-based
28 services that are family-driven, youth- or young adult-guided, and
29 culturally and linguistically competent. (Gov. Code, Sec.
30 531.251(a).)

31 Source Law

32 Sec. 531.251. TEXAS SYSTEM OF CARE FRAMEWORK.

33 (a) In this section:

34 (1) "Minor" means an individual younger
35 than 18 years of age.

36 (2) "Serious emotional disturbance" means
37 a mental, behavioral, or emotional disorder of
38 sufficient duration to result in functional impairment
39 that substantially interferes with or limits a
40 person's role or ability to function in family, school,
41 or community activities.

42 (3) "System of care framework" means a

1 framework for collaboration among state agencies,
2 minors who have a serious emotional disturbance or are
3 at risk of developing a serious emotional disturbance,
4 and the families of those minors that improves access
5 to services and delivers effective community-based
6 services that are family-driven, youth- or young
7 adult-guided, and culturally and linguistically
8 competent.

9 Revisor's Note

10 Section 531.251(a), Government Code, refers to
11 definitions applicable "[i]n this section." The
12 provisions of Section 531.251 are revised in this
13 chapter as Subchapter B, and the revised law is drafted
14 accordingly.

15 Revised Law

16 Sec. 547.0052. TEXAS SYSTEM OF CARE FRAMEWORK. (a) The
17 commission shall implement a system of care framework to develop
18 local mental health systems of care in communities for minors who:

19 (1) have or are at risk of developing a serious
20 emotional disturbance;

21 (2) are receiving residential mental health services
22 and supports or inpatient mental health hospitalization; or

23 (3) are at risk of being removed from the minor's home
24 and placed in a more restrictive environment to receive mental
25 health services and supports, including:

26 (A) an inpatient mental health hospital;

27 (B) a residential treatment facility; or

28 (C) a facility or program operated by the
29 Department of Family and Protective Services or an agency that is
30 part of the juvenile justice system.

31 (b) The commission shall:

32 (1) maintain a comprehensive plan for the delivery of
33 mental health services and supports to a minor and a minor's family
34 using a system of care framework, including best practices in the
35 financing, administration, governance, and delivery of those
36 services;

37 (2) enter into memoranda of understanding with the
38 Department of State Health Services, the Department of Family and

1 Protective Services, the Texas Education Agency, the Texas Juvenile
2 Justice Department, and the Texas Correctional Office on Offenders
3 with Medical or Mental Impairments that specify the roles and
4 responsibilities of each agency in implementing the comprehensive
5 plan;

6 (3) identify appropriate local, state, and federal
7 funding sources to finance infrastructure and mental health
8 services and supports necessary to support state and local system
9 of care framework efforts; and

10 (4) develop an evaluation system to measure
11 cross-system performance and outcomes of state and local system of
12 care framework efforts.

13 (c) In implementing this section, the commission shall
14 consult with stakeholders, including:

15 (1) minors who have or are at risk of developing a
16 serious emotional disturbance or young adults who received mental
17 health services and supports as a minor with or at risk of
18 developing a serious emotional disturbance; and

19 (2) family members of those minors or young adults.

20 (Gov. Code, Secs. 531.251(b), (c).)

21 Source Law

22 (b) The commission shall implement a system of
23 care framework to develop local mental health systems
24 of care in communities for minors who are receiving
25 residential mental health services and supports or
26 inpatient mental health hospitalization, have or are
27 at risk of developing a serious emotional disturbance,
28 or are at risk of being removed from the minor's home
29 and placed in a more restrictive environment to
30 receive mental health services and supports, including
31 an inpatient mental health hospital, a residential
32 treatment facility, or a facility or program operated
33 by the Department of Family and Protective Services or
34 an agency that is part of the juvenile justice system.

35 (c) The commission shall:

36 (1) maintain a comprehensive plan for the
37 delivery of mental health services and supports to a
38 minor and a minor's family using a system of care
39 framework, including best practices in the financing,
40 administration, governance, and delivery of those
41 services;

42 (2) enter memoranda of understanding with
43 the Department of State Health Services, the
44 Department of Family and Protective Services, the
45 Texas Education Agency, the Texas Juvenile Justice
46 Department, and the Texas Correctional Office on

1 Offenders with Medical or Mental Impairments that
2 specify the roles and responsibilities of each agency
3 in implementing the comprehensive plan described by
4 Subdivision (1);

5 (3) identify appropriate local, state, and
6 federal funding sources to finance infrastructure and
7 mental health services and supports needed to support
8 state and local system of care framework efforts;

9 (4) develop an evaluation system to
10 measure cross-system performance and outcomes of state
11 and local system of care framework efforts; and

12 (5) in implementing the provisions of this
13 section, consult with stakeholders, including:

14 (A) minors who have or are at risk of
15 developing a serious emotional disturbance or young
16 adults who received mental health services and
17 supports as a minor with or at risk of developing a
18 serious emotional disturbance; and

19 (B) family members of those minors or
20 young adults.

21 Revised Law

22 Sec. 547.0053. IMPLEMENTATION. The commission shall:

23 (1) monitor the implementation of a system of care
24 framework under Section 547.0052; and

25 (2) adopt rules necessary to facilitate or adjust that
26 implementation. (Gov. Code, Sec. 531.255.)

27 Source Law

28 Sec. 531.255. EVALUATION. The commission shall
29 monitor the implementation of a system of care
30 framework under Section 531.251 and adopt rules as
31 necessary to facilitate or adjust that implementation.

32 Revised Law

33 Sec. 547.0054. TECHNICAL ASSISTANCE FOR LOCAL SYSTEMS OF
34 CARE. The commission may provide technical assistance to a
35 community that implements a local system of care. (Gov. Code, Sec.
36 531.257.)

37 Source Law

38 Sec. 531.257. TECHNICAL ASSISTANCE FOR
39 PROJECTS. The commission may provide technical
40 assistance to a community that implements a local
41 system of care.

42 SUBCHAPTER C. SERVICES FOR CHILDREN WITH SEVERE EMOTIONAL
43 DISTURBANCES

44 Revised Law

45 Sec. 547.0101. DEFINITIONS. In this subchapter:

46 (1) "Children with severe emotional disturbances"
47 includes children:

1 (A) who are at risk of incarceration or placement
2 in a residential mental health facility;

3 (B) who are students in a special education
4 program under Subchapter A, Chapter 29, Education Code;

5 (C) with a substance use disorder or a
6 developmental disability; and

7 (D) for whom a court may appoint the Department
8 of Family and Protective Services as managing conservator.

9 (2) "Community resource coordination group" means a
10 coordination group established under a memorandum of understanding
11 adopted under Section _____ [[[Section 531.055]]].

12 (3) "Systems of care services" means a comprehensive
13 state system of mental health services and other necessary and
14 related services that is organized as a coordinated network to meet
15 the multiple and changing needs of children with severe emotional
16 disturbances and their families. (Gov. Code, Sec. 531.421.)

17 Source Law

18 Sec. 531.421. DEFINITIONS. In this subchapter:

19 (1) "Children with severe emotional
20 disturbances" includes:

21 (A) children who are at risk of
22 incarceration or placement in a residential mental
23 health facility;

24 (B) children for whom a court may
25 appoint the Department of Family and Protective
26 Services as managing conservator;

27 (C) children who are students in a
28 special education program under Subchapter A, Chapter
29 29, Education Code; and

30 (D) children who have a substance
31 abuse disorder or a developmental disability.

32 (2) "Community resource coordination
33 group" means a coordination group established under a
34 memorandum of understanding adopted under Section
35 531.055.

36 (3) "Systems of care services" means a
37 comprehensive state system of mental health services
38 and other necessary and related services that is
39 organized as a coordinated network to meet the
40 multiple and changing needs of children with severe
41 emotional disturbances and their families.

42 Revised Law

43 Sec. 547.0102. EVALUATIONS BY COMMUNITY RESOURCE
44 COORDINATION GROUPS. (a) Each community resource coordination
45 group shall evaluate the provision of systems of care services in

1 the community that the group serves. The evaluation must:

2 (1) describe and prioritize services needed by
3 children with severe emotional disturbances in the community;

4 (2) review and assess the available systems of care
5 services in the community to meet those needs;

6 (3) assess the integration of the provision of those
7 services; and

8 (4) identify barriers to the effective provision of
9 those services.

10 (b) Each community resource coordination group shall create
11 a report that includes the evaluation described by Subsection (a)
12 and related recommendations, including:

13 (1) suggested policy and statutory changes for
14 agencies providing systems of care services; and

15 (2) recommendations for overcoming barriers to the
16 provision of systems of care services and improving the integration
17 of those services.

18 (c) Each community resource coordination group shall submit
19 the report described by Subsection (b) to the commission. The
20 commission shall provide to each group a deadline for submitting
21 the report that is coordinated with any regional reviews by the
22 commission of the delivery of related services. (Gov. Code, Sec.
23 531.422.)

24 Source Law

25 Sec. 531.422. EVALUATIONS BY COMMUNITY RESOURCE
26 COORDINATION GROUPS. (a) Each community resource
27 coordination group shall evaluate the provision of
28 systems of care services in the community that the
29 group serves. Each evaluation must:

30 (1) describe and prioritize services
31 needed by children with severe emotional disturbances
32 in the community;

33 (2) review and assess the systems of care
34 services that are available in the community to meet
35 those needs;

36 (3) assess the integration of the
37 provision of those services; and

38 (4) identify any barriers to the effective
39 provision of those services.

40 (b) Each community resource coordination group
41 shall create a report that includes the evaluation in
42 Subsection (a) and makes related recommendations,
43 including:

1 (1) suggested policy and statutory changes
2 at agencies that provide systems of care services; and

3 (2) recommendations for overcoming
4 barriers to the provision of systems of care services
5 and improving the integration of those services.

6 (c) Each community resource coordination group
7 shall submit the report described by Subsection (b) to
8 the commission. The commission shall provide to each
9 group a deadline for submitting the reports that is
10 coordinated with any regional reviews by the
11 commission of the delivery of related services.

12 Revised Law

13 Sec. 547.0103. SUMMARY REPORT BY COMMISSION. (a) The
14 commission shall create a summary report based on the evaluations
15 in the reports submitted to the commission by community resource
16 coordination groups under Section 547.0102. The commission's
17 report must include:

18 (1) recommendations for policy and statutory changes
19 at each agency involved in providing systems of care services; and

20 (2) the outcome expected from implementing each
21 recommendation.

22 (b) The commission may include in the report created under
23 this section recommendations for:

24 (1) the statewide expansion of sites participating in
25 the Texas System of Care; and

26 (2) the integration of services provided at those
27 sites with services provided by community resource coordination
28 groups.

29 (c) The commission shall coordinate, where appropriate, the
30 recommendations in the report created under this section with:

31 (1) recommendations in the assessment developed under
32 Chapter 23 (S.B. 491), Acts of the 78th Legislature, Regular
33 Session, 2003; and

34 (2) the continuum of care developed under Section
35 533.040(d), Health and Safety Code.

36 (d) The commission shall provide a copy of the report
37 created under this section to each agency for which the report makes
38 a recommendation and to other agencies as appropriate. (Gov. Code,
39 Sec. 531.423.)

1 Construction Act), the term "person" includes an
2 entity.

3 SUBCHAPTER D. STATEWIDE BEHAVIORAL HEALTH COORDINATING COUNCIL

4 Revised Law

5 Sec. 547.0151. DEFINITION. In this subchapter, "council"
6 means the statewide behavioral health coordinating council. (Gov.
7 Code, Sec. 531.471.)

8 Source Law

9 Sec. 531.471. DEFINITION. In this subchapter,
10 "council" means the statewide behavioral health
11 coordinating council.

12 Revised Law

13 Sec. 547.0152. PURPOSE. The council is established to
14 ensure a strategic statewide approach to behavioral health
15 services. (Gov. Code, Sec. 531.472.)

16 Source Law

17 Sec. 531.472. PURPOSE. The council is
18 established to ensure a strategic statewide approach
19 to behavioral health services.

20 Revised Law

21 Sec. 547.0153. COMPOSITION OF COUNCIL. (a) The council is
22 composed of at least one representative designated by each of the
23 following entities:

- 24 (1) the governor's office;
- 25 (2) the Texas Veterans Commission;
- 26 (3) the commission;
- 27 (4) the Department of State Health Services;
- 28 (5) the Department of Family and Protective Services;
- 29 (6) the Texas Civil Commitment Office;
- 30 (7) The University of Texas Health Science Center at
31 Houston;
- 32 (8) The University of Texas Health Science Center at
33 Tyler;
- 34 (9) the Texas Tech University Health Sciences Center;
- 35 (10) the Texas Department of Criminal Justice;
- 36 (11) the Texas Correctional Office on Offenders with

1 Medical or Mental Impairments;

2 (12) the Commission on Jail Standards;

3 (13) the Texas Indigent Defense Commission;

4 (14) the court of criminal appeals;

5 (15) the Texas Juvenile Justice Department;

6 (16) the Texas Military Department;

7 (17) the Texas Education Agency;

8 (18) the Texas Workforce Commission;

9 (19) the Health Professions Council, representing:

10 (A) the State Board of Dental Examiners;

11 (B) the Texas State Board of Pharmacy;

12 (C) the State Board of Veterinary Medical

13 Examiners;

14 (D) the Texas Optometry Board;

15 (E) the Texas Board of Nursing; and

16 (F) the Texas Medical Board; and

17 (20) the Texas Department of Housing and Community

18 Affairs.

19 (b) The executive commissioner shall determine the number
20 of representatives that each entity may designate to serve on the
21 council.

22 (c) The council may authorize another state agency or
23 institution that provides specific behavioral health services with
24 the use of appropriated money to designate a representative to the
25 council.

26 (d) A council member serves at the pleasure of the
27 designating entity. (Gov. Code, Sec. 531.473.)

28 Source Law

29 Sec. 531.473. COMPOSITION OF COUNCIL. (a) The
30 council is composed of at least one representative
31 designated by each of the following entities:

32 (1) the governor's office;

33 (2) the Texas Veterans Commission;

34 (3) the commission;

35 (4) the Department of State Health
36 Services;

37 (5) the Department of Family and
38 Protective Services;

39 (6) the Texas Civil Commitment Office;

1 (7) The University of Texas Health Science
2 Center at Houston;
3 (8) The University of Texas Health Science
4 Center at Tyler;
5 (9) the Texas Tech University Health
6 Sciences Center;
7 (10) the Texas Department of Criminal
8 Justice;
9 (11) the Texas Correctional Office on
10 Offenders with Medical or Mental Impairments;
11 (12) the Commission on Jail Standards;
12 (13) the Texas Indigent Defense
13 Commission;
14 (14) the court of criminal appeals;
15 (15) the Texas Juvenile Justice
16 Department;
17 (16) the Texas Military Department;
18 (17) the Texas Education Agency;
19 (18) the Texas Workforce Commission;
20 (19) the Health Professions Council,
21 representing:
22 (A) the State Board of Dental
23 Examiners;
24 (B) the Texas State Board of
25 Pharmacy;
26 (C) the State Board of Veterinary
27 Medical Examiners;
28 (D) the Texas Optometry Board;
29 (E) the Texas Board of Nursing; and
30 (F) the Texas Medical Board; and
31 (20) the Texas Department of Housing and
32 Community Affairs.

33 (b) The executive commissioner shall determine
34 the number of representatives that each entity may
35 designate to serve on the council.

36 (c) The council may authorize another state
37 agency or institution that provides specific
38 behavioral health services with the use of
39 appropriated money to designate a representative to
40 the council.

41 (d) A council member serves at the pleasure of
42 the designating entity.

43 Revised Law

44 Sec. 547.0154. PRESIDING OFFICER. The mental health
45 statewide coordinator shall serve as the presiding officer of the
46 council. (Gov. Code, Sec. 531.474.)

47 Source Law

48 Sec. 531.474. PRESIDING OFFICER. The mental
49 health statewide coordinator shall serve as the
50 presiding officer of the council.

51 Revised Law

52 Sec. 547.0155. MEETINGS. The council shall meet at least
53 once quarterly or more frequently at the call of the presiding
54 officer. (Gov. Code, Sec. 531.475.)

55 Source Law

56 Sec. 531.475. MEETINGS. The council shall meet

1 at least once quarterly or more frequently at the call
2 of the presiding officer.

3 Revised Law

4 Sec. 547.0156. POWERS AND DUTIES. (a) The council:

5 (1) shall develop and monitor the implementation of a
6 five-year statewide behavioral health strategic plan;

7 (2) shall develop a biennial coordinated statewide
8 behavioral health expenditure proposal;

9 (3) shall annually publish an updated inventory of
10 behavioral health programs and services that this state funds that
11 includes a description of how those programs and services further
12 the purpose of the statewide behavioral health strategic plan;

13 (4) may create subcommittees to carry out the
14 council's duties under this subchapter; and

15 (5) may facilitate opportunities to increase
16 collaboration for the effective expenditure of available federal
17 and state money for behavioral and mental health services in this
18 state.

19 (b) The council shall include statewide suicide prevention
20 efforts in the five-year statewide behavioral health strategic plan
21 the council develops under Subsection (a). (Gov. Code, Sec.
22 531.476.)

23 Source Law

24 Sec. 531.476. POWERS AND DUTIES. (a) The
25 council:

26 (1) shall develop and monitor the
27 implementation of a five-year statewide behavioral
28 health strategic plan;

29 (2) shall develop a biennial coordinated
30 statewide behavioral health expenditure proposal;

31 (3) shall annually publish an updated
32 inventory of behavioral health programs and services
33 that are funded by the state that includes a
34 description of how those programs and services further
35 the purpose of the statewide behavioral health
36 strategic plan;

37 (4) may create subcommittees to carry out
38 the council's duties under this subchapter; and

39 (5) may facilitate opportunities to
40 increase collaboration for the effective expenditure
41 of available federal and state funds for behavioral
42 and mental health services in this state.

43 (b) The council shall include statewide suicide
44 prevention efforts in its five-year statewide
45 behavioral health strategic plan under Subsection (a).

1 Revised Law

2 Sec. 547.0157. SUICIDE PREVENTION SUBCOMMITTEE; SUICIDE
3 DATA REPORTS. (a) The council shall create a suicide prevention
4 subcommittee to focus on statewide suicide prevention efforts using
5 information collected by the council from available sources of
6 suicide data reports. The suicide prevention subcommittee shall
7 establish guidelines for the frequent use of those reports in
8 carrying out the council's purpose under this subchapter.

9 (b) The suicide prevention subcommittee shall establish a
10 method for identifying how suicide data reports are used to make
11 policy.

12 (c) Public or private entities that collect information
13 regarding suicide and suicide prevention may provide suicide data
14 reports to commission staff the executive commissioner designates
15 to receive those reports. (Gov. Code, Sec. 531.477.)

16 Source Law

17 Sec. 531.477. SUICIDE PREVENTION SUBCOMMITTEE;
18 SUICIDE DATA REPORTS. (a) The council shall create a
19 suicide prevention subcommittee to focus on statewide
20 suicide prevention efforts using information
21 collected by the council from available sources of
22 suicide data reports. The suicide prevention
23 subcommittee shall establish guidelines for the
24 frequent use of those reports in carrying out the
25 council's purpose under this subchapter.

26 (b) The subcommittee created under this section
27 shall establish a method for identifying how suicide
28 data reports are used to make policy.

29 (c) Public or private entities that collect
30 information regarding suicide and suicide prevention
31 may provide suicide data reports to commission staff
32 designated by the executive commissioner to receive
33 those reports.

34 SUBCHAPTER E. BEHAVIORAL HEALTH GRANT PROGRAMS GENERALLY

35 Revised Law

36 Sec. 547.0201. STREAMLINING PROCESS FOR AWARDING
37 BEHAVIORAL HEALTH GRANTS. (a) The commission shall implement a
38 process to better coordinate behavioral health grants the
39 commission administers. The process must:

40 (1) streamline the administrative processes at the
41 commission; and

42 (2) decrease the administrative burden on applicants

1 applying for multiple grants.

2 (b) The process may include developing a standard
3 application for multiple behavioral health grants. (Gov. Code, Sec.
4 531.0991(m).)

5 Source Law

6 (m) The commission shall implement a process to
7 better coordinate all behavioral health grants
8 administered by the commission in a manner that
9 streamlines the administrative processes at the
10 commission and decreases the administrative burden on
11 applicants applying for multiple grants. This may
12 include the development of a standard application for
13 multiple behavioral health grants.

14 SUBCHAPTER F. MATCHING GRANT PROGRAM FOR CERTAIN COMMUNITY MENTAL
15 HEALTH PROGRAMS ASSISTING INDIVIDUALS EXPERIENCING MENTAL ILLNESS

16 Revised Law

17 Sec. 547.0251. DEFINITION. In this subchapter, "matching
18 grant program" means the matching grant program established under
19 this subchapter. (New.)

20 Revisor's Note

21 The definition of "matching grant program" is
22 added to the revised law for drafting convenience and
23 to eliminate the frequent, unnecessary repetition of
24 the substance of the definition.

25 Revised Law

26 Sec. 547.0252. MATCHING GRANT PROGRAM. To the extent money
27 is appropriated to the commission for that purpose, the commission
28 shall establish a matching grant program to support community
29 mental health programs providing services and treatment to
30 individuals experiencing mental illness. (Gov. Code, Sec.
31 531.0991(a).)

32 Source Law

33 Sec. 531.0991. GRANT PROGRAM FOR MENTAL HEALTH
34 SERVICES. (a) To the extent money is appropriated to
35 the commission for that purpose, the commission shall
36 establish a matching grant program for the purpose of
37 supporting community mental health programs providing
38 services and treatment to individuals experiencing
39 mental illness.

1 Revised Law

2 Sec. 547.0253. MATCHING CONTRIBUTIONS REQUIRED; GRANT
3 CONDITIONS. (a) The commission shall:

4 (1) condition each grant awarded under this subchapter
5 on the grant recipient obtaining and securing money to match the
6 grant from non-state sources in amounts of money or other
7 consideration as required by Subsection (c); and

8 (2) ensure that each grant recipient obtains or
9 secures contributions to match a grant awarded to the recipient in
10 an amount of money or other consideration as required by Subsection
11 (c).

12 (b) The matching contributions obtained or secured by the
13 grant recipient, as the executive commissioner determines, may
14 include cash or in-kind contributions from any person but may not
15 include state or federal money.

16 (c) A grant recipient must leverage money in an amount equal
17 to:

18 (1) 25 percent of the grant amount if the community
19 mental health program is located in a county with a population of
20 less than 100,000;

21 (2) 50 percent of the grant amount if the community
22 mental health program is located in a county with a population of
23 100,000 or more but less than 250,000;

24 (3) 100 percent of the grant amount if the community
25 mental health program is located in a county with a population of at
26 least 250,000; and

27 (4) the percentage of the grant amount otherwise
28 required by this subsection for the largest county in which a
29 community mental health program is located if the community mental
30 health program is located in more than one county. (Gov. Code, Secs.
31 531.0991(b), (g), (h).)

32 Source Law

33 (b) The commission shall ensure that each grant
34 recipient obtains or secures contributions to match
35 awarded grants in amounts of money or other

1 consideration as required by Subsection (h). The money
2 or other consideration obtained or secured by the
3 recipient, as determined by the executive
4 commissioner, may include cash or in-kind
5 contributions from any person but may not include
6 money from state or federal funds.

7 (g) The commission shall condition each grant
8 awarded to a recipient under the program on the
9 recipient obtaining or securing matching funds from
10 non-state sources in amounts of money or other
11 consideration as required by Subsection (h).

12 (h) A community that receives a grant under this
13 section is required to leverage funds in an amount:

14 (1) equal to 25 percent of the grant amount
15 if the community mental health program is located in a
16 county with a population of less than 100,000;

17 (2) equal to 50 percent of the grant amount
18 if the community mental health program is located in a
19 county with a population of 100,000 or more but less
20 than 250,000;

21 (3) equal to 100 percent of the grant
22 amount if the community mental health program is
23 located in a county with a population of at least
24 250,000; and

25 (4) equal to the percentage of the grant
26 amount otherwise required by this subsection for the
27 largest county in which a community mental health
28 program is located if the community mental health
29 program is located in more than one county.

30 Revisor's Note

31 Section 531.0991(h), Government Code, refers to
32 "a community that receives a grant under this
33 section." The revised law substitutes "grant
34 recipient" for the quoted language for consistency of
35 terminology and because it is clear from Sections
36 531.0991(b) and (g) that the provision applies to
37 grant recipients.

38 Revised Law

39 Sec. 547.0254. SELECTION OF RECIPIENTS; APPLICATIONS AND
40 PROPOSALS. The commission shall select grant recipients based on
41 the submission of applications or proposals by nonprofit and
42 governmental entities. The executive commissioner shall develop
43 criteria for evaluating those applications or proposals and the
44 selection of grant recipients. The selection criteria must:

45 (1) evaluate and score:

46 (A) fiscal controls for the project;

47 (B) project effectiveness;

48 (C) project cost; and

1 (D) an applicant's previous experience with
2 grants and contracts;

3 (2) address whether the services proposed in the
4 application or proposal would duplicate services already available
5 in the applicant's service area;

6 (3) address the possibility of and method for making
7 multiple awards; and

8 (4) include other factors that the executive
9 commissioner considers relevant. (Gov. Code, Sec. 531.0991(e).)

10 Source Law

11 (e) The commission shall select grant
12 recipients based on the submission of applications or
13 proposals by nonprofit and governmental entities. The
14 executive commissioner shall develop criteria for the
15 evaluation of those applications or proposals and the
16 selection of grant recipients. The selection criteria
17 must:

18 (1) evaluate and score:
19 (A) fiscal controls for the project;
20 (B) project effectiveness;
21 (C) project cost; and
22 (D) an applicant's previous
23 experience with grants and contracts;

24 (2) address whether the services proposed
25 in the application or proposal would duplicate
26 services already available in the applicant's service
27 area;

28 (3) address the possibility of and method
29 for making multiple awards; and

30 (4) include other factors that the
31 executive commissioner considers relevant.

32 Revised Law

33 Sec. 547.0255. LOCAL MENTAL HEALTH AUTHORITY INVOLVEMENT.

34 (a) A nonprofit or governmental entity that applies for a grant
35 under this subchapter must:

36 (1) notify each local mental health authority with a
37 local service area covered wholly or partly by the entity's
38 proposed community mental health program; and

39 (2) provide in the entity's application a letter of
40 support from each of those local mental health authorities.

41 (b) The commission shall consider a local mental health
42 authority's written input before awarding a grant under this
43 subchapter and may take any recommendations made by the authority.
44 (Gov. Code, Sec. 531.0991(f).)

1 Source Law

2 (f) A nonprofit or governmental entity that
3 applies for a grant under this section must notify each
4 local mental health authority with a local service
5 area that is covered wholly or partly by the entity's
6 proposed community mental health program and must
7 provide in the entity's application a letter of support
8 from each local mental health authority with a local
9 service area that is covered wholly or partly by the
10 entity's proposed community mental health program. The
11 commission shall consider a local mental health
12 authority's written input before awarding a grant
13 under this section and may take any recommendations
14 made by the authority.

15 Revisor's Note

16 Section 531.0991(f), Government Code, refers to
17 awarding a grant "under this section." The provisions
18 of Section 531.0991 are revised in this chapter as
19 Subchapter F, and the revised law is drafted
20 accordingly.

21 Revised Law

22 Sec. 547.0256. USE OF GRANTS AND MATCHING AMOUNTS. A grant
23 awarded under the matching grant program and matching amounts must
24 be used for the sole purpose of supporting community mental health
25 programs that:

26 (1) provide mental health services and treatment to
27 individuals with a mental illness; and

28 (2) coordinate mental health services for individuals
29 with a mental illness with other transition support services. (Gov.
30 Code, Sec. 531.0991(d).)

31 Source Law

32 (d) A grant awarded under the matching grant
33 program and matching amounts must be used for the sole
34 purpose of supporting community programs that provide
35 mental health care services and treatment to
36 individuals with a mental illness and that coordinate
37 mental health care services for individuals with a
38 mental illness with other transition support services.

39 Revisor's Note

40 (1) Section 531.0991(d), Government Code,
41 refers to "community programs." The revised law
42 substitutes "community mental health programs" for
43 "community programs" for consistency of terminology

1 and because it is clear from the context that
2 "community programs" refers to "community mental
3 health programs."

4 (2) Section 531.0991(d), Government Code,
5 refers to "mental health care services." The revised
6 law substitutes "mental health services" for "mental
7 health care services" for consistency of terminology
8 and because it is clear from the context that "mental
9 health care services" refers to "mental health
10 services."

11 Revised Law

12 Sec. 547.0257. DISTRIBUTING AND ALLOCATING APPROPRIATED
13 MONEY. (a) The commission shall disburse money appropriated to or
14 obtained by the commission for the matching grant program directly
15 to a grant recipient, as the executive commissioner authorizes.

16 (b) Except as provided by Subsection (c), from money
17 appropriated to the commission for each fiscal year to implement
18 this subchapter, the commission shall reserve 50 percent of that
19 total to be awarded only as grants to a community mental health
20 program located in a county with a population not greater than
21 250,000.

22 (c) Without regard to the limitation provided by Subsection
23 (b) and to the extent money appropriated to the commission to
24 implement this subchapter for a fiscal year remains available to
25 the commission after the commission selects grant recipients for
26 the fiscal year, the commission shall make grants available through
27 a competitive request for proposal process using the remaining
28 money for the fiscal year.

29 (d) The commission may use a reasonable amount not to exceed
30 five percent of the money appropriated by the legislature for the
31 purposes of this subchapter to pay the administrative costs of
32 implementing this subchapter. (Gov. Code, Secs. 531.0991(c), (i),
33 (j), (n).)

1 SUBCHAPTER G. MATCHING GRANT PROGRAM FOR COMMUNITY MENTAL HEALTH
2 PROGRAMS ASSISTING VETERANS AND THEIR FAMILIES

3 Revised Law

4 Sec. 547.0301. DEFINITION. In this subchapter, "matching
5 grant program" means the matching grant program established under
6 this subchapter. (New.)

7 Revisor's Note

8 The definition of "matching grant program" is
9 added to the revised law for drafting convenience and
10 to eliminate the frequent, unnecessary repetition of
11 the substance of the definition.

12 Revised Law

13 Sec. 547.0302. MATCHING GRANT PROGRAM. To the extent money
14 is appropriated to the commission for that purpose, the commission
15 shall establish a matching grant program to support community
16 mental health programs that provide services and treatment to
17 veterans and their families. (Gov. Code, Sec. 531.0992(a).)

18 Source Law

19 Sec. 531.0992. GRANT PROGRAM FOR MENTAL HEALTH
20 SERVICES FOR VETERANS AND THEIR FAMILIES. (a) To the
21 extent funds are appropriated to the commission for
22 that purpose, the commission shall establish a grant
23 program for the purpose of supporting community mental
24 health programs providing services and treatment to
25 veterans and their families.

26 Revised Law

27 Sec. 547.0303. MATCHING CONTRIBUTIONS REQUIRED. (a) The
28 commission shall ensure that each grant recipient obtains or
29 secures contributions to match a grant awarded to the recipient in
30 amounts of money or other consideration as required by Section
31 547.0304 or 547.0305.

32 (b) The money or other consideration obtained or secured by
33 the commission may, as the executive commissioner determines,
34 include cash or in-kind contributions from private contributors or
35 local governments but may not include state or federal money. (Gov.
36 Code, Sec. 531.0992(c).)

1 Source Law

2 (c) The commission shall ensure that each grant
3 recipient obtains or secures contributions to match
4 awarded grants in amounts of money or other
5 consideration as required by Subsection (d-1) or
6 (d-2). The money or other consideration obtained or
7 secured by the commission may, as determined by the
8 executive commissioner, include cash or in-kind
9 contributions from private contributors or local
10 governments but may not include state or federal
11 funds.

12 Revised Law

13 Sec. 547.0304. MATCHING GRANT CONDITIONS: SINGLE COUNTIES.

14 For services and treatment provided in a single county, the
15 commission shall condition each grant provided under this
16 subchapter on a potential grant recipient providing money from
17 non-state sources in a total amount at least equal to:

18 (1) 25 percent of the grant amount if the community
19 mental health program to be supported by the grant provides
20 services and treatment in a county with a population of less than
21 100,000;

22 (2) 50 percent of the grant amount if the community
23 mental health program to be supported by the grant provides
24 services and treatment in a county with a population of 100,000 or
25 more but less than 250,000; or

26 (3) 100 percent of the grant amount if the community
27 mental health program to be supported by the grant provides
28 services and treatment in a county with a population of 250,000 or
29 more. (Gov. Code, Sec. 531.0992(d-1).)

30 Source Law

31 (d-1) For services and treatment provided in a
32 single county, the commission shall condition each
33 grant provided under this section on a potential grant
34 recipient providing funds from non-state sources in a
35 total amount at least equal to:

36 (1) 25 percent of the grant amount if the
37 community mental health program to be supported by the
38 grant provides services and treatment in a county with
39 a population of less than 100,000;

40 (2) 50 percent of the grant amount if the
41 community mental health program to be supported by the
42 grant provides services and treatment in a county with
43 a population of 100,000 or more but less than 250,000;
44 or

45 (3) 100 percent of the grant amount if the
46 community mental health program to be supported by the

1 grant provides services and treatment in a county with
2 a population of 250,000 or more.

3 Revisor's Note

4 Section 531.0992(d-1), Government Code, refers
5 to a grant provided "under this section." The
6 provisions of Section 531.0992 are revised in this
7 chapter as Subchapter G, and the revised law is drafted
8 accordingly.

9 Revised Law

10 Sec. 547.0305. MATCHING GRANT CONDITIONS: MULTIPLE
11 COUNTIES. For a community mental health program that provides
12 services and treatment in more than one county, the commission
13 shall condition each grant provided under this subchapter on a
14 potential grant recipient providing money from non-state sources in
15 a total amount at least equal to:

16 (1) 25 percent of the grant amount if the county with
17 the largest population in which the community mental health program
18 to be supported by the grant provides services and treatment has a
19 population of less than 100,000;

20 (2) 50 percent of the grant amount if the county with
21 the largest population in which the community mental health program
22 to be supported by the grant provides services and treatment has a
23 population of 100,000 or more but less than 250,000; or

24 (3) 100 percent of the grant amount if the county with
25 the largest population in which the community mental health program
26 to be supported by the grant provides services and treatment has a
27 population of 250,000 or more. (Gov. Code, Sec. 531.0992(d-2).)

28 Source Law

29 (d-2) For a community mental health program that
30 provides services and treatment in more than one
31 county, the commission shall condition each grant
32 provided under this section on a potential grant
33 recipient providing funds from non-state sources in a
34 total amount at least equal to:

35 (1) 25 percent of the grant amount if the
36 county with the largest population in which the
37 community mental health program to be supported by the
38 grant provides services and treatment has a population
39 of less than 100,000;

40 (2) 50 percent of the grant amount if the
41 county with the largest population in which the

1 community mental health program to be supported by the
2 grant provides services and treatment has a population
3 of 100,000 or more but less than 250,000; or

4 (3) 100 percent of the grant amount if the
5 county with the largest population in which the
6 community mental health program to be supported by the
7 grant provides services and treatment has a population
8 of 250,000 or more.

9 Revised Law

10 Sec. 547.0306. SELECTION OF RECIPIENTS; APPLICATIONS AND
11 PROPOSALS. (a) The commission shall select grant recipients based
12 on the submission of applications or proposals by nonprofit and
13 governmental entities.

14 (b) The executive commissioner shall develop criteria for
15 evaluating the applications or proposals and the selection of grant
16 recipients. The selection criteria must:

17 (1) evaluate and score:

18 (A) fiscal controls for the project;

19 (B) project effectiveness;

20 (C) project cost; and

21 (D) an applicant's previous experience with
22 grants and contracts;

23 (2) address the possibility of and method for making
24 multiple awards; and

25 (3) include other factors that the executive
26 commissioner considers relevant. (Gov. Code, Sec. 531.0992(f).)

27 Source Law

28 (f) The commission shall select grant
29 recipients based on the submission of applications or
30 proposals by nonprofit and governmental entities. The
31 executive commissioner shall develop criteria for the
32 evaluation of those applications or proposals and the
33 selection of grant recipients. The selection criteria
34 must:

35 (1) evaluate and score:

36 (A) fiscal controls for the project;

37 (B) project effectiveness;

38 (C) project cost; and

39 (D) an applicant's previous
40 experience with grants and contracts;

41 (2) address the possibility of and method
42 for making multiple awards; and

43 (3) include other factors that the
44 executive commissioner considers relevant.

45 Revised Law

46 Sec. 547.0307. USE OF GRANTS AND MATCHING AMOUNTS. A grant

1 awarded under the matching grant program must be used for the sole
2 purpose of supporting community mental health programs that:

3 (1) provide mental health services and treatment to
4 veterans and their families; and

5 (2) coordinate mental health services for veterans and
6 their families with other transition support services. (Gov. Code,
7 Sec. 531.0992(e).)

8 Source Law

9 (e) All grants awarded under the grant program
10 must be used for the sole purpose of supporting
11 community programs that provide mental health care
12 services and treatment to veterans and their families
13 and that coordinate mental health care services for
14 veterans and their families with other transition
15 support services.

16 Revisor's Note

17 Section 531.0992(e), Government Code, refers to
18 "community programs." The revised law substitutes
19 "community mental health programs" for "community
20 programs" for the reasons stated in Revisor's Note (1)
21 to Section 547.0256.

22 Revised Law

23 Sec. 547.0308. DISTRIBUTING AND ALLOCATING APPROPRIATED
24 MONEY. (a) As the executive commissioner authorizes, the
25 commission shall disburse money appropriated to or obtained by the
26 commission for the matching grant program directly to grant
27 recipients.

28 (b) The commission may use a reasonable amount not to exceed
29 five percent of the money appropriated by the legislature for the
30 purposes of this subchapter to pay the administrative costs of
31 implementing this subchapter. (Gov. Code, Secs. 531.0992(d), (g).)

32 Source Law

33 (d) Money appropriated to, or obtained by, the
34 commission for the grant program must be disbursed
35 directly to grant recipients by the commission, as
36 authorized by the executive commissioner.

37 (g) A reasonable amount not to exceed five
38 percent of the money appropriated by the legislature
39 for the purposes of this section may be used by the
40 commission to pay administrative costs of implementing

1 this section.

2 Revised Law

3 Sec. 547.0309. RULES. The executive commissioner shall
4 adopt rules necessary to implement the matching grant program.
5 (Gov. Code, Sec. 531.0992(h).)

6 Source Law

7 (h) The executive commissioner shall adopt any
8 rules necessary to implement the grant program under
9 this section.

10 SUBCHAPTER H. MATCHING GRANT PROGRAM FOR CERTAIN COMMUNITY
11 COLLABORATIVES TO REDUCE INVOLVEMENT OF INDIVIDUALS WITH MENTAL
12 ILLNESS IN CRIMINAL JUSTICE SYSTEM

13 Revised Law

14 Sec. 547.0351. DEFINITION. In this subchapter, "matching
15 grant program" means the matching grant program established under
16 this subchapter. (New.)

17 Revisor's Note

18 The definition of "matching grant program" is
19 added to the revised law for consistency of
20 terminology and drafting convenience and to eliminate
21 the frequent, unnecessary repetition of the substance
22 of the definition.

23 Revised Law

24 Sec. 547.0352. MATCHING GRANT PROGRAM. The commission
25 shall establish a matching grant program to provide grants to
26 county-based community collaboratives to reduce:

27 (1) recidivism by, the frequency of arrests of, and
28 incarceration of individuals with mental illness; and

29 (2) the total wait time for forensic commitment of
30 individuals with mental illness to a state hospital. (Gov. Code,
31 Sec. 531.0993(a).)

32 Source Law

33 Sec. 531.0993. GRANT PROGRAM TO REDUCE
34 RECIDIVISM, ARREST, AND INCARCERATION AMONG
35 INDIVIDUALS WITH MENTAL ILLNESS AND TO REDUCE WAIT
36 TIME FOR FORENSIC COMMITMENT. (a) The commission
37 shall establish a program to provide grants to
38 county-based community collaboratives for the

1 purposes of reducing:

2 (1) recidivism by, the frequency of
3 arrests of, and incarceration of persons with mental
4 illness; and

5 (2) the total waiting time for forensic
6 commitment of persons with mental illness to a state
7 hospital.

8 Revised Law

9 Sec. 547.0353. MATCHING CONTRIBUTIONS REQUIRED; GRANT
10 CONDITIONS. (a) The commission shall condition each grant
11 provided to a community collaborative under this subchapter on the
12 collaborative providing money from non-state sources in a total
13 amount at least equal to:

14 (1) 25 percent of the grant amount if the
15 collaborative includes a county with a population of less than
16 100,000;

17 (2) 50 percent of the grant amount if the
18 collaborative includes a county with a population of 100,000 or
19 more but less than 250,000;

20 (3) 100 percent of the grant amount if the
21 collaborative includes a county with a population of 250,000 or
22 more; and

23 (4) the percentage of the grant amount otherwise
24 required by this subsection for the largest county included in the
25 collaborative, if the collaborative includes more than one county.

26 (b) A community collaborative may seek and receive gifts,
27 grants, or donations from any person to raise the required money
28 from non-state sources. (Gov. Code, Secs. 531.0993(c), (c-1).)

29 Source Law

30 (c) The commission shall condition each grant
31 provided to a community collaborative under this
32 section on the collaborative providing funds from
33 non-state sources in a total amount at least equal to:

34 (1) 25 percent of the grant amount if the
35 collaborative includes a county with a population of
36 less than 100,000;

37 (2) 50 percent of the grant amount if the
38 collaborative includes a county with a population of
39 100,000 or more but less than 250,000;

40 (3) 100 percent of the grant amount if the
41 collaborative includes a county with a population of
42 250,000 or more; and

43 (4) the percentage of the grant amount
44 otherwise required by this subsection for the largest
45 county included in the collaborative, if the

1 collaborative includes more than one county.
2 (c-1) To raise the required non-state sourced
3 funds, a collaborative may seek and receive gifts,
4 grants, or donations from any person.

5 Revisor's Note

6 Section 531.0993(c), Government Code, refers to a
7 grant provided "under this section." The provisions
8 of Section 531.0993 are revised in this chapter as
9 Subchapter H, and the revised law is drafted
10 accordingly.

11 Revised Law

12 Sec. 547.0354. COMMUNITY COLLABORATIVE ELIGIBILITY;
13 CERTAIN GRANTS PROHIBITED. (a) A community collaborative may
14 petition the commission to receive a grant under the matching grant
15 program only if the collaborative includes:

16 (1) a county;

17 (2) a local mental health authority that operates in
18 the county; and

19 (3) each hospital district, if any, located in the
20 county.

21 (b) A collaborative may include other local entities
22 designated by the collaborative's members.

23 (c) The commission may not award a grant under this
24 subchapter for a fiscal year to a community collaborative that
25 includes a county with a population greater than four million if the
26 legislature appropriates money for a mental health jail diversion
27 program in the county for that fiscal year. (Gov. Code, Secs.
28 531.0993(b), (i).)

29 Source Law

30 (b) A community collaborative may petition the
31 commission for a grant under the program only if the
32 collaborative includes a county, a local mental health
33 authority that operates in the county, and each
34 hospital district, if any, located in the county. A
35 community collaborative may include other local
36 entities designated by the collaborative's members.

37 (i) The commission may not award a grant under
38 this section for a fiscal year to a community
39 collaborative that includes a county with a population
40 greater than four million if the legislature
41 appropriates money for a mental health jail diversion

1 program in the county for that fiscal year.

2 Revised Law

3 Sec. 547.0355. PETITION REQUIRED; CONTENTS. In each state
4 fiscal year for which a community collaborative seeks a grant, the
5 collaborative must submit a petition to the commission not later
6 than the 30th day of that fiscal year. The collaborative must
7 include with a petition:

8 (1) a statement indicating the amount of money from
9 non-state sources that the collaborative is able to provide; and

10 (2) a plan that:

11 (A) is endorsed by each of the collaborative's
12 member entities;

13 (B) identifies a target population;

14 (C) describes how the grant money and the money
15 from non-state sources will be used;

16 (D) includes outcome measures to evaluate the
17 success of the plan; and

18 (E) describes how the success of the plan, in
19 accordance with the outcome measures, would further the state's
20 interest in the grant program's purposes. (Gov. Code, Sec.
21 531.0993(d).)

22 Source Law

23 (d) For each state fiscal year for which a
24 community collaborative seeks a grant, the
25 collaborative must submit a petition to the commission
26 not later than the 30th day of that fiscal year. The
27 community collaborative must include with a petition:

28 (1) a statement indicating the amount of
29 funds from non-state sources the collaborative is able
30 to provide; and

31 (2) a plan that:

32 (A) is endorsed by each of the
33 collaborative's member entities;

34 (B) identifies a target population;

35 (C) describes how the grant money and
36 funds from non-state sources will be used;

37 (D) includes outcome measures to
38 evaluate the success of the plan; and

39 (E) describes how the success of the
40 plan in accordance with the outcome measures would
41 further the state's interest in the grant program's
42 purposes.

43 Revised Law

44 Sec. 547.0356. REVIEW OF PETITION BY COMMISSION. The

1 commission must review plans submitted with a petition under
2 Section 547.0355 before the commission provides a grant under this
3 subchapter. The commission must fulfill this requirement not later
4 than the 60th day of each fiscal year. (Gov. Code, Sec.
5 531.0993(e).)

6 Source Law

7 (e) The commission must review plans submitted
8 with a petition under Subsection (d) before the
9 commission provides a grant under this section. The
10 commission must fulfill the commission's requirements
11 under this subsection not later than the 60th day of
12 each fiscal year.

13 Revised Law

14 Sec. 547.0357. USE OF GRANTS AND MATCHING AMOUNTS.

15 Acceptable uses of the grant and matching money include:

- 16 (1) continuing a mental health jail diversion program;
17 (2) establishing or expanding a mental health jail
18 diversion program;
19 (3) establishing alternatives to competency
20 restoration in a state hospital, including outpatient competency
21 restoration, inpatient competency restoration in a setting other
22 than a state hospital, or jail-based competency restoration;
23 (4) providing assertive community treatment or
24 forensic assertive community treatment with an outreach component;
25 (5) providing intensive mental health services and
26 substance use treatment not readily available in the county;
27 (6) providing continuity of care services for an
28 individual being released from a state hospital;
29 (7) establishing interdisciplinary rapid response
30 teams to reduce law enforcement's involvement with mental health
31 emergencies; and
32 (8) providing local community hospital, crisis,
33 respite, or residential beds. (Gov. Code, Sec. 531.0993(f).)

34 Source Law

35 (f) Acceptable uses for the grant money and
36 matching funds include:
37 (1) the continuation of a mental health
38 jail diversion program;

1 (2) the establishment or expansion of a
2 mental health jail diversion program;

3 (3) the establishment of alternatives to
4 competency restoration in a state hospital, including
5 outpatient competency restoration, inpatient
6 competency restoration in a setting other than a state
7 hospital, or jail-based competency restoration;

8 (4) the provision of assertive community
9 treatment or forensic assertive community treatment
10 with an outreach component;

11 (5) the provision of intensive mental
12 health services and substance abuse treatment not
13 readily available in the county;

14 (6) the provision of continuity of care
15 services for an individual being released from a state
16 hospital;

17 (7) the establishment of
18 interdisciplinary rapid response teams to reduce law
19 enforcement's involvement with mental health
20 emergencies; and

21 (8) the provision of local community
22 hospital, crisis, respite, or residential beds.

23 Revised Law

24 Sec. 547.0358. REPORT BY COMMUNITY COLLABORATIVE. Not
25 later than the 90th day after the last day of the state fiscal year
26 for which the commission distributes a grant under this subchapter,
27 each grant recipient shall prepare and submit a report to the
28 commission describing the effect of the grant and matching money in
29 achieving the standard defined by the outcome measures in the plan
30 submitted with a petition under Section 547.0355. (Gov. Code, Sec.
31 531.0993(g).)

32 Source Law

33 (g) Not later than the 90th day after the last
34 day of the state fiscal year for which the commission
35 distributes a grant under this section, each community
36 collaborative that receives a grant shall prepare and
37 submit a report describing the effect of the grant
38 money and matching funds in achieving the standard
39 defined by the outcome measures in the plan submitted
40 under Subsection (d).

41 Revised Law

42 Sec. 547.0359. INSPECTIONS. The commission may inspect the
43 operation and provision of mental health services provided by a
44 community collaborative to ensure state money appropriated for the
45 matching grant program is used effectively. (Gov. Code, Sec.
46 531.0993(h).)

47 Source Law

48 (h) The commission may make inspections of the
49 operation and provision of mental health services

1 provided by a community collaborative to ensure state
2 money appropriated for the grant program is used
3 effectively.

4 Revised Law

5 Sec. 547.0360. ALLOCATING APPROPRIATED MONEY. (a) Except
6 as provided by Subsection (b), the commission shall reserve at
7 least 20 percent of money appropriated to the commission for each
8 fiscal year to implement the matching grant program to be awarded
9 only as grants to a community collaborative that includes a county
10 with a population of less than 250,000.

11 (b) Without regard to the limitation provided by Subsection
12 (a) and to the extent money appropriated to the commission for a
13 fiscal year to implement this subchapter remains available to the
14 commission after the commission has selected grant recipients for
15 the fiscal year, the commission shall make grants available through
16 a competitive request for proposal process using the remaining
17 money for the fiscal year.

18 (c) The commission may use a reasonable amount not to exceed
19 five percent of the money appropriated by the legislature for the
20 purposes of this subchapter to pay the administrative costs of
21 implementing this subchapter. (Gov. Code, Secs. 531.0993(c-2),
22 (f-1), (j).)

23 Source Law

24 (c-2) Beginning on or after September 1, 2018,
25 from money appropriated to the commission for each
26 fiscal year to implement this section, the commission
27 shall reserve at least 20 percent of that total to be
28 awarded only as grants to a community collaborative
29 that includes a county with a population of less than
30 250,000.

31 (f-1) Beginning on or after September 1, 2018,
32 to the extent money appropriated to the commission for
33 a fiscal year to implement this section remains
34 available to the commission after the commission
35 selects grant recipients for the fiscal year, the
36 commission shall make grants available using the money
37 remaining for the fiscal year through a competitive
38 request for proposal process, without regard to the
39 limitation provided by Subsection (c-2).

40 (j) A reasonable amount not to exceed five
41 percent of the money appropriated by the legislature
42 for the purposes of this section may be used by the
43 commission to pay administrative costs of implementing
44 this section.

1 Revisor's Note

2 Sections 531.0993(c-2) and (f-1), Government
3 Code, require the commission to take certain action
4 "[b]eginning on or after September 1, 2018." The
5 revised law omits the quoted language as unnecessary
6 because that date has passed.

7 SUBCHAPTER I. MATCHING GRANT PROGRAM FOR COMMUNITY COLLABORATIVE
8 IN MOST POPULOUS COUNTY TO REDUCE INVOLVEMENT OF INDIVIDUALS WITH
9 MENTAL ILLNESS IN CRIMINAL JUSTICE SYSTEM

10 Revised Law

11 Sec. 547.0401. DEFINITION. In this subchapter, "matching
12 grant program" means the matching grant program established under
13 this subchapter. (New.)

14 Revisor's Note

15 The definition of "matching grant program" is
16 added to the revised law for consistency of
17 terminology and drafting convenience and to eliminate
18 the frequent, unnecessary repetition of the substance
19 of the definition.

20 Revised Law

21 Sec. 547.0402. MATCHING GRANT PROGRAM. The commission
22 shall establish a matching grant program to provide a grant to a
23 county-based community collaborative in the most populous county in
24 this state to reduce:

25 (1) recidivism by, the frequency of arrests of, and
26 incarceration of individuals with mental illness; and

27 (2) the total wait time for forensic commitment of
28 individuals with mental illness to a state hospital. (Gov. Code,
29 Sec. 531.09935(a).)

30 Source Law

31 Sec. 531.09935. GRANT PROGRAM TO REDUCE
32 RECIDIVISM, ARREST, AND INCARCERATION AMONG
33 INDIVIDUALS WITH MENTAL ILLNESS AND TO REDUCE WAIT
34 TIME FOR FORENSIC COMMITMENT IN MOST POPULOUS COUNTY.
35 (a) The commission shall establish a program to
36 provide a grant to a county-based community
37 collaborative in the most populous county in this

1 state for the purposes of reducing:
2 (1) recidivism by, the frequency of
3 arrests of, and incarceration of persons with mental
4 illness; and
5 (2) the total waiting time for forensic
6 commitment of persons with mental illness to a state
7 hospital.

8 Revised Law

9 Sec. 547.0403. MATCHING CONTRIBUTIONS REQUIRED; GRANT
10 CONDITIONS. (a) The commission shall condition a grant provided to
11 the community collaborative under this subchapter on the
12 collaborative providing money from non-state sources in a total
13 amount at least equal to the grant amount.

14 (b) A community collaborative may seek and receive gifts,
15 grants, or donations from any person to raise the required money
16 from non-state sources. (Gov. Code, Secs. 531.09935(d), (e).)

17 Source Law

18 (d) The commission shall condition a grant
19 provided to the community collaborative under this
20 section on the collaborative providing funds from
21 non-state sources in a total amount at least equal to
22 the grant amount.

23 (e) To raise the required non-state sourced
24 funds, the collaborative may seek and receive gifts,
25 grants, or donations from any person.

26 Revisor's Note

27 Section 531.09935(d), Government Code, refers to
28 a grant provided "under this section." The provisions
29 of Section 531.09935 are revised in this chapter as
30 Subchapter I, and the revised law is drafted
31 accordingly.

32 Revised Law

33 Sec. 547.0404. COMMUNITY COLLABORATIVE ELIGIBILITY. (a) A
34 community collaborative may receive a grant under the matching
35 grant program only if the collaborative includes:

36 (1) the county;

37 (2) a local mental health authority operating in the
38 county; and

39 (3) each hospital district located in the county.

40 (b) A collaborative may include other local entities
41 designated by the collaborative's members. (Gov. Code, Sec.

1 531.09935(b).)

2 Source Law

3 (b) The community collaborative may receive a
4 grant under the program only if the collaborative
5 includes the county, a local mental health authority
6 that operates in the county, and each hospital
7 district located in the county. A community
8 collaborative may include other local entities
9 designated by the collaborative's members.

10 Revised Law

11 Sec. 547.0405. DISTRIBUTION OF GRANT. Not later than the
12 30th day of each fiscal year, the commission shall make available to
13 the community collaborative established in the county described by
14 Section 547.0402 a grant in an amount equal to the lesser of:

15 (1) the amount appropriated to the commission for that
16 fiscal year for a mental health jail diversion pilot program in that
17 county; or

18 (2) the collaborative's available matching money.
19 (Gov. Code, Sec. 531.09935(c).)

20 Source Law

21 (c) Not later than the 30th day of each fiscal
22 year, the commission shall make available to the
23 community collaborative established in the county
24 described by Subsection (a) a grant in an amount equal
25 to the lesser of:

26 (1) the amount appropriated to the
27 commission for that fiscal year for a mental health
28 jail diversion pilot program in that county; or

29 (2) the collaborative's available matching
30 funds.

31 Revised Law

32 Sec. 547.0406. USE OF GRANT AND MATCHING MONEY. Acceptable
33 uses of the grant and matching money include:

34 (1) continuing a mental health jail diversion program;

35 (2) establishing or expanding a mental health jail
36 diversion program;

37 (3) establishing alternatives to competency
38 restoration in a state hospital, including outpatient competency
39 restoration, inpatient competency restoration in a setting other
40 than a state hospital, or jail-based competency restoration;

41 (4) providing assertive community treatment or

- 1 forensic assertive community treatment with an outreach component;
- 2 (5) providing intensive mental health services and
- 3 substance use treatment not readily available in the county;
- 4 (6) providing continuity of care services for an
- 5 individual being released from a state hospital;
- 6 (7) establishing interdisciplinary rapid response
- 7 teams to reduce law enforcement's involvement with mental health
- 8 emergencies; and
- 9 (8) providing local community hospital, crisis,
- 10 respite, or residential beds. (Gov. Code, Sec. 531.09935(f).)

11 Source Law

12 (f) Acceptable uses for the grant money and

13 matching funds include:

14 (1) the continuation of a mental health

15 jail diversion program;

16 (2) the establishment or expansion of a

17 mental health jail diversion program;

18 (3) the establishment of alternatives to

19 competency restoration in a state hospital, including

20 outpatient competency restoration, inpatient

21 competency restoration in a setting other than a state

22 hospital, or jail-based competency restoration;

23 (4) the provision of assertive community

24 treatment or forensic assertive community treatment

25 with an outreach component;

26 (5) the provision of intensive mental

27 health services and substance abuse treatment not

28 readily available in the county;

29 (6) the provision of continuity of care

30 services for an individual being released from a state

31 hospital;

32 (7) the establishment of

33 interdisciplinary rapid response teams to reduce law

34 enforcement's involvement with mental health

35 emergencies; and

36 (8) the provision of local community

37 hospital, crisis, respite, or residential beds.

38 Revised Law

39 Sec. 547.0407. REPORT BY COMMUNITY COLLABORATIVE. Not

40 later than the 90th day after the last day of the state fiscal year

41 for which the commission distributes a grant under this subchapter,

42 the grant recipient shall prepare and submit a report to the

43 commission describing the effect of the grant and matching money in

44 fulfilling the purpose described by Section 547.0402. (Gov. Code,

45 Sec. 531.09935(g).)

